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DEPOSIT OF PUBLIC MONEYS

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DEPOSIT OF PUBLIC MONEYS. Assembly Constitutional Amendment 46. Amends Section 16½ of Article XI of Constitution by extending 3 to any political subdivision, the provisions permitting the deposit in banks of this state of moneys belonging to or in the custody of the state or any political subdivision.	YES	
	NO	

(For full text of Amendment see page 2, Part II.)

Argument in Favor of Assembly Constitutional Amendment No. 46.

The constitution now authorizes the legislature and the people under the initiative to fix conditions under which "moneys belonging to, or in the custody of, the state or any county or municipality within this state" may be deposited in banks within this state. The present wording of the constitution has given rise to doubt as to its application to certain political subdivisions of the state, such as irrigation districts, etc.

The wording of the constitution is changed in the proposed amendment, so as to have the provisions apply to "all moneys belonging to, or in the custody of, the state, or any county, city and county, city, town, municipality, or other political subdivision, within this state."

The amendment is designed to remove any possible ambiguity and clear up any doubt or confusion as to its applicability to all public moneys. The amendment makes no change whatever other than that explained herein.

CHESTER M. KLINE,
Assemblyman Seventy-seventh District.

C. C. SPALDING,
Assemblyman Forty-fifth District.

Argument Against Assembly Constitutional Amendment No. 46.

At the present time section 16½ of article XI of our state constitution provides that the people under the initiative or the legislature by a two-thirds vote with the approval of the governor may pass laws permitting the deposit in the state and national banks of money in the custody of the state or any county or municipality. The proposed amend-

ment authorizes the people or the legislature in the same manner to enact similar laws concerning "other political subdivisions." The original section was enacted by the people in November, 1906. At that time it was argued by those who were opposed to it that it would give too much power to the legislature and grant too much patronage to the banking business. Since that time, however, the people have adopted two amendments, one in 1912 and another in 1918, both of which enlarged the power of the legislature in this regard. It is only fair to say in this connection that by the enactment of the original section and the adoption of the subsequent amendments the people of the state have committed themselves to the advisability of depositing public moneys in state and national banks as a source of revenue.

There is no inherent difference between depositing in banks the moneys of counties or cities and depositing moneys of "other political subdivisions" such as irrigation districts. The question therefore resolves itself into one of expediency, which the voters must decide according to their individual beliefs. The sponsors of the amendment believe that it will further the economic development of the state and result in profit to the public, while those who are opposed to it claim that there is no public necessity for any extension of the present system of handling public moneys so as to authorize the deposit in banks of funds of the subordinate political subdivisions of the state.

Respectfully submitted.

FRANK W. ANDERSON,
Assemblyman Thirty-ninth District,
Speaker pro tempore.

INFERIOR COURTS. Assembly Constitutional Amendment 2 amending Section 11 of Article VI of Constitution. Changes provision therein which confers on inferior courts created by Legislature concurrent jurisdiction with superior courts in cases of forcible entry and 4 detainer where rental value does not exceed twenty-five dollars per month, and where whole amount of damages claimed does not exceed two hundred dollars by declaring such concurrent jurisdiction shall exist where such rental value does not exceed seventy-five dollars per month and the whole amount of damages claimed does not exceed three hundred dollars.	YES	
	NO	

(For full text of Amendment see page 3, Part II.)

Argument in Favor of Assembly Constitutional Amendment No. 2.
Constitutional Amendment No. 2 increases

the jurisdiction of the justices' court in matters relative to and pertaining to forcible entry and detainer, conferring upon said

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SALARIES AND EXPENSE OF LEGISLATURE. Senate Constitutional Amendment 23. Amends Sections 23 and 23a of Article IV of Constitution. Declares members of Legislature shall receive one hundred dollars per month payable monthly in even numbered years, and during regular session as may be provided by law, and mileage not exceeding five cents per mile; Legislature to provide for selection of all officers and employees and, when advisable, under civil service, limiting total daily expense thereof to three hundred dollars for either house during regular session, and two hundred dollars for both houses during special session.

YES

NO

Senate Constitutional Amendment No. 23—A resolution proposing to the people of the State of California an amendment to sections twenty-three and twenty-three a of article four of the constitution of the State of California, relating to compensation of members of the legislature.

Resolved by the senate, the assembly concurring, That the legislature of the State of California at its regular session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of all the members elected to each of the two houses of said legislature voting therefor hereby proposes to the people of the State of California that the constitution of said state be amended by amending section twenty-three of article four to read as follows:

PROPOSED AMENDMENT.

(Proposed changes in provisions are printed in black-faced type.)

Sec. 23. The members of the legislature shall receive for their services the sum of one hundred dollars each for each regular session, to be paid at such times during the session as may be provided by law, and the sum of ten dollars each for each day while in attendance at a special or extraordinary session, for a number of days not exceeding thirty; and mileage to be fixed by law, all paid out of the state treasury; such mileage shall not exceed ten cents per mile; and each member shall be allowed contingent expenses not exceeding twenty-five dollars per member for each regular biennial session. The legislature may also provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of five hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for either house at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.

Sec. 23a. The legislature may provide for the employment of help; but in no case shall the total expense for officers, employees and attaches exceed the sum of five hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for either house at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.

electd or appointed. The legislature shall provide for the selection of all officers, employees and attaches of both houses and so far as advisable shall require such selection to be under the provisions of the law governing civil service.

EXISTING PROVISIONS.

(Provisions proposed to be repealed are printed in italics.)

Sec. 23. The members of the legislature shall receive for their services the sum of one thousand dollars each for each regular session, to be paid at such times during the session as may be provided by law, and the sum of ten dollars each for each day while in attendance at a special or extraordinary session, for a number of days not exceeding thirty; and mileage to be fixed by law, all paid out of the state treasury; such mileage shall not exceed ten cents per mile; and each member shall be allowed contingent expenses not exceeding twenty-five dollars per member for each regular biennial session. The legislature may also provide for additional help; but in no case shall the total expense for officers, employees and attaches exceed the sum of five hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for either house at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.

Sec. 23a. The legislature may also provide for the employment of help; but in no case shall the total expense for officers, employees and attaches exceed the sum of five hundred dollars per day for either house, at any regular or biennial session, nor the sum of two hundred dollars per day for either house at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed.

DEPOSIT OF PUBLIC MONEYS. Assembly Constitutional Amendment 46. Amends Section 16½ of Article XI of Constitution by extending to any political subdivision, the provisions permitting the deposit in banks of this state of moneys belonging to or in the custody of the state of any political subdivision.

YES

NO

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section sixteen one-half of article eleven therein, relating to deposits of public moneys.

Resolved by the assembly, the senate concurring, That the legislature of the State of California, at its forty-fifth session commencing on the eighth day of January, one thousand nine hundred twenty-three, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, proposes to amend section sixteen one-half of article eleven of the constitution to read as follows:

[Two]

PROPOSED AMENDMENT.

(Proposed changes in provisions are printed in black-faced type.)

Sec. 16½. All moneys belonging to, or in the custody of, the state, or any county, city and county, city, town, municipality or other political subdivision, within this state may be deposited in any national bank or banks within this state, or in any bank or banks organized under the laws of this state, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by a two-thirds vote of each house of the legislature and approved by the governor and subject to the referendum; provided, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be

amended, changed or repealed as in this section authorized; and provided, further, that the state or any county, city and county, city, town, municipality, or other political subdivision issuing bonds under the laws of this state, may deposit moneys in any bank or banks outside this state for the payment of the principal or interest of such bonds at the place or places at which the same are payable.

EXISTING PROVISIONS.

(Provisions proposed to be repealed are printed in italics.)

Sec. 16½. All moneys belonging to, or in the custody of, the state or any county or municipality within this state may be deposited in any national bank or banks within this state, or in

any bank or banks organized under the laws of this state, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by a two-thirds vote of each house of the legislature and approved by the governor and subject to the referendum; provided, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized; and provided, further, that the state or any county, city and county, city, town, municipality, or other political subdivision issuing bonds under the laws of this state, may deposit moneys in any bank or banks outside this state for the payment of the principal or interest of such bonds at the place or places at which the same are payable.

INFERIOR COURTS. Assembly Constitutional Amendment 2 amending Section 11 of Article VI of Constitution. Changes provision therein which confers on inferior courts created by Legislature concurrent jurisdiction with superior courts in cases of forcible entry and
4 detainer where rental value does not exceed twenty-five dollars per month, and where whole amount of damages claimed does not exceed two hundred dollars by declaring such concurrent jurisdiction shall exist where such rental value does not exceed seventy-five dollars per month and the whole amount of damages claimed does not exceed three hundred dollars.

YES	
NO	

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section eleven of article six of the constitution of the State of California, relative to inferior courts.

Resolved by the assembly, the senate concurring, That the legislature of the State of California at its forty-fifth regular session, commencing on the eighth day of January, 1923, two-thirds of all the members elected to each of the two houses thereof voting in favor hereof, proposes to the people of the State of California to amend section eleven of article six of the constitution of said state to read as follows:

PROPOSED AMENDMENT.

(Proposed changes in provisions are printed in black-faced type.)

Sec. 11. The legislature shall determine the number of each of the inferior courts in incorporated cities or towns, and in townships, counties, or cities and counties, according to the population thereof and the number of judges or justices thereof, and shall fix by law the powers, duties and responsibilities of each of such courts and of the judges or justices thereof; provided, such powers shall not in any case trench upon the jurisdiction of the several courts of record, except that the legislature shall provide that said courts shall have concurrent jurisdiction with the superior courts in cases of

forcible entry and detainer, where the rental value does not exceed *seventy-five* dollars per month, and where the whole amount of damages claimed does not exceed *three* hundred dollars, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to three hundred dollars.

EXISTING PROVISIONS.

(Provisions proposed to be repealed are printed in italics.)

Sec. 11. The legislature shall determine the number of each of the inferior courts in incorporated cities or towns, and in townships, counties, or cities and counties, according to the population thereof and the number of judges or justices thereof, and shall fix by law the powers, duties and responsibilities of each of such courts and of the judges or justices thereof; provided, such powers shall not in any case trench upon the jurisdiction of the several courts of record, except that the legislature shall provide that said courts shall have concurrent jurisdiction with the superior courts in cases of forcible entry and detainer, where the rental value does not exceed *twenty-five* dollars per month, and where the whole amount of damages claimed does not exceed *two* hundred dollars, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to three hundred dollars.

TRANSFER OF FUNDS. Senate Constitutional Amendment 20. Amends Section 31 of Article IV of Constitution. Adds proviso requiring city or county treasurer, having custody of funds of political subdivision payable solely through his office, to make, on or before last
5 Monday in April in each current fiscal year, temporary transfers therefrom, not exceeding eighty-five per cent of taxes accruing to such subdivision, to meet obligations incurred by such subdivision for maintenance purposes, and to replace same from such taxes before meeting other obligations therefrom.

YES	
NO	

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to section thirty-one of article four of the constitution of the State of California relat-

ing to the giving or lending of public credit.

The legislature of the State of California, at its regular session commencing on the eighth day of January, one thousand nine hundred

[Three]